

pire, by operation of law, creates an emergency and imperative public necessity, requiring the suspension of the constitutional rule that bills be read on three several days, and that this bill take effect from and after its passage, and it is so enacted.

SEVENTEENTH DAY.

Senate Chamber,
Austin, Texas,
Monday, March 18, 1918.

The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called to order by President Pro Tem. Decherd.

The roll was called, a quorum being present, the following Senators answering to their names:

Alderdice.	Hall.
Bailey.	Henderson.
Bee.	Hopkins.
Buchanan of Bell.	Johnson of Hall.
Buchanan of Scurry.	Johnston of Harris.
Clark.	Page.
Collins.	Robbins.
Dean.	Smith.
Decherd.	Strickland.
Faust.	Suiter.
Floyd.	Westbrook.
Gibson.	Woodward.

Absent.

Hudspeth. Parr.

Absent—Excused.

Caldwell.	McCollum.
Dayton.	McNealus.
Lattimore.	

Prayer by the Chaplain.

Pending the reading of the Journal of Saturday, the same was dispensed with on motion of Senator Alderdice.

Excused.

Senator Caldwell was excused for today on account of important business on motion of Senator Bee.

Senators Page and Parr for last Saturday on account of important business on motion of Senator Bee.

Senator Lattimore for today on account of important business on motion of Senator Johnson of Hall.

Senator McNealus for today on ac-

count if important business on motion of Senator Suiter.

Petitions and Memorials.

See Appendix.

Committee Reports.

See Appendix.

Morning call concluded.

House Bill No. 53—As Special Order.

By unanimous consent and on request of Senator Suiter, House Bill No. 53 was set as a special order for tomorrow at the conclusion of the morning call.

Bills Signed.

The Chair, President Pro Tem. Decherd, gave notice of signing and did sign, in the presence of the Senate, after their captions had been read, the following bills:

H. B. No. 56, A bill to be entitled "An Act to establish and create a Criminal District Court for Bowie County; to provide for the jurisdiction of and procedure in said court; to fix the time for holding the terms of said court; to provide for the appointment, election, qualification, duties, etc., and declaring an emergency."

H. B. No. 26, A bill to be entitled "An Act to amend Chapter 67, of the Acts of the Regular Session of the Thirty-third Legislature as amended by Chapter 31, of the Acts of the First Called Session of the Thirty-third Legislature, regulating the shipment and sale of intoxicating liquor; this Act being to amend the aforesaid Act of the Legislature so that Sections 2, 3, 4 and 5 of said Chapter 31 of the Acts of the First Called Session of the Thirty-third Legislature shall be divided into seven sections, to be known in said chapter as Sections 2, 3, 4, 5, 5a, 5b, and 5c, and also by amending Section 9 of said Chapter 31, so that said sections as thus divided and amended shall read, in substance, that, except as otherwise provided, it shall be un-

lawful for any person to possess intoxicating liquors for personal use, sale, or other purpose, or receive from a common carrier or any person, firm or corporation or any officer, agent, or employee thereof in any place where sale of intoxicating liquors is prohibited; making this provision apply to interstate as well as intrastate shipments and carriers, etc., and declaring an emergency."

H. B. No. 28, A bill to be entitled "An Act to make effective the provisions of Section 59 of Article 16 of the Constitution, providing for the creation of conservation and reclamation districts, and providing that any water improvement district, drainage district or levee improvement district organized or to be organized as defined districts under the provisions of any law of this State, and Section 52 of Article 3, of the Constitution may avail itself of the benefits of Section 59, of Article 16, of the Constitution, and providing that any such district may incur indebtedness and levy taxes necessary to carry out the purpose of its organization, removing restrictions and limitations of indebtedness to be incurred by any such district; providing for the management and control of such district; and declaring an emergency."

H. B. No. 118, A bill to be entitled "An Act creating the Mauriceville Independent School District in Orange County, Texas, etc."

H. B. No. 79, A bill to be entitled "An Act creating and incorporating the Close Independent School District in Garza County, Texas, and declaring an emergency."

Messages from the House.

Hall of House of Representatives.
Austin, Texas, March 18, 1918.

Hon. E. A. Decherd, President Pro Tem. of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

H. B. No. 97, A bill to be entitled "An Act to amend Section 5, Chapter 78, pages 147-148 and 149, passed at the Regular Session of the Thirty-fifth Legislature, known as the interchangeable jury law, so as to hereafter read as follows, etc."

H. B. No. 108, A bill to be entitled "An Act to amend Section 9 of Chapter 17, Special Laws, passed at the First Called Session of the Thirty-third Legislature, entitled 'San Patricio County Road System—Creating,' authorizing said county or any political subdivision or defined district thereof to issue bonds not exceeding forty years from the date of issuance, with such options of redemption as may be fixed by the commissioners court, or to issue such bonds to mature serially in approximately equal portions every year for not exceeding forty years, and declaring an emergency."

S. B. No. 22, A bill to be entitled "An Act to provide for the creation of conservation and reclamation districts within this State under and by virtue of the provisions of Section 59 of Article 15 of the State Constitution, to be known as Levee Improvement Districts, and declaring an emergency," with amendments.

H. B. No. 104, A bill to be entitled "An Act to amend Article 3003 of Chapter 7, Title 49, of the Revised Civil Statutes of Texas of 1911, relating to officers of election assisting a voter in preparing a ballot; and also amending Article 258, Chapter 2, Title 6, of the Revised Penal Code of Texas, 1911, so as to provide a penalty for the violation of said articles of the Revised Civil Statutes as the same is hereby amended," with engrossed rider.

H. B. No. 98, A bill to be entitled "An Act to amend Article 1197, Title 17 of the Code of Criminal Procedure of the State of Texas, relating to delinquent children so as to include and further prescribe the procedure in cases of boys and girls, fixing penalties, and declaring an emergency."

S. B. No. 95, A bill to be entitled "An Act declaring that casualty insurance companies incorporated under Chapter 117, General Laws passed by the Regular Session of the Thirty-second Legislature shall hereafter have authority to write marine insurance, in which may be included the hazards and perils incident to war; and declaring an emergency."

Respectfully,

BOB BARKER,
Chief Clerk, House of Representatives

Hall of the House of Representatives,
Austin, Texas, March 18, 1918.

Hon. E. A. Decherd, President Pro
Tem. of the Senate.

Sir: I am directed by the House
to inform the Senate that the House
has passed the following bill:

H. B. No. 107, A bill to be entitled
"An Act amending Article 3093 of
Chapter 10 Title 49 of the 1911 Re-
vised Statutes of Texas, so as to pro-
vide that no one shall vote in a pri-
mary election or convention unless
he is a citizen of the United States."

Respectfully,

BOB BARKER,

Chief Clerk House of Representatives.

Bills Read and Referred.

The Chair, President Pro Tem.
Decherd, had referred, after their
captions had been read, the follow-
ing House bills:

H. B. No. 97, referred to the Com-
mittee on Civil Jurisprudence.

H. B. No. 108, referred to the
Committee on Roads, Bridges and
Ferris.

H. B. No. 104, referred to the
Committee on Privileges and Elec-
tions.

H. B. No. 98, referred to the Com-
mittee on Criminal Jurisprudence.

H. B. No. 107, referred to the
Committee on Privileges and Elec-
tions.

Senate Bill No. 52.

The Chair laid before the Senate
on second reading:

S. B. No. 52, A bill to be entitled
"An Act to amend Article 3086,
Chapter 10, Title 49, Revised Civil
Statutes of 1911, so as to provide
that no candidate at a primary elec-
tion for a State or district office shall
be declared the nominee of any politi-
cal party unless he is legally quali-
fied to hold such office, has complied
with all the requirements of law,
and received a majority of the votes
cast for all candidates for such office
at such primary election; providing
for the holding of a second primary
election and fixing the date of the
holding of all second primary elec-
tions, and declaring an emergency."

Senator Dean offered the follow-
ing amendments which were read:

(1) Amend the bill, line 1, page
2, after the word "districts" the fol-
lowing, "or counties." and amend
the caption to conform.

(2) Amend the bill by inserting
after the word "district" and before
the word "office" whenever the said
words occur in conjunction in Sec-
tion 1, of the bill, the words "or
county."

Pending.

Senator Page offered the following
amendments which were read:

(3) Amend the bill, page 1, line
25, by inserting after the word
"office" the following, "nor shall the
name of any person be placed upon
any ballot."

(4) Amend the bill by adding
Section 2a, as follows:

Section 2a. Any violation of this
Act by any member of any executive
committee either State or county,
shall be punished by fine of not less
than \$500.00 nor more than \$1,-
000.00, or by imprisonment in the
county jail for any term not exceed-
ing six months and any committee
may be enjoined from placing the
name of any ineligible person upon
the ballot by any district judge, and
in the event of an appeal by either
party, such case shall have priority
over any other case upon the docu-
ment of any appellate court.

Pending.

Senator Johnson of Hall offered
the following amendment which was
read:

(5) Amend Senate Bill No. 2.
page 2, line 10, by changing the
word "may" after the word "party"
to the word "shall."

Pending.

Senator Buchanan of Scurry of-
fered the following amendment to
pending amendment No. 1:

Whenever the word "county" ap-
pears in the amendment, follow same
immediately by the words "and pre-
cincts."

Pending.

The bill was set as a special order
for tomorrow afternoon, March 19,
at 2:30 o'clock.

Messages from the Governor.

The private secretary to the Gov-
ernor here appeared at the bar of
the Senate with several executive
messages.

The same were laid before the Senate and read as follows:

Governor's Office,
Austin, Texas, March 18, 1918.

To the Thirty-fifth Legislature in Fourth Called Session.

At the request of Messrs Bailey, Bee, and Parr, I submit for your consideration an Act to amend Chapter 27 of the General Laws of the Thirty-second Legislature of the State of Texas, entitled: "An Act to provide additional compensation to all judges of the districts courts, district attorneys of the State of Texas, and to the Judge of the Criminal District Court of Harris and Galveston Counties, by allowing compensation for actual and necessary expenses when engaged in the discharge of their official duties in counties other than the county of their residence" so as to increase the maximum sum which may be paid to any such district judge or district attorney in any one year from the sum of two hundred (\$200) dollars, to four hundred (\$400) dollars.

Respectfully submitted,
W. P. HOBBY,
Governor of Texas.

Governor's Office,
Austin, Texas, March 18, 1918.

To the Thirty-fifth Legislature in Fourth Called Session.

At the request of Hon. Leonard Tillotson, I submit for your consideration an Act to repeal certain appropriations made for the maintenance of the State Pension Department by Chapter 47, General Laws, First Called Session, Thirty-fifth Legislature, for the two fiscal years beginning September 1, 1917 and September 1, 1918 and for readjustment of salaries.

Respectfully submitted,
W. P. HOBBY,
Governor of Texas.

Governor's Office,
Austin, Texas, March 18, 1918.

To the Thirty-fifth Legislature in Fourth Called Session.

At the request of Hon. W. D. Cope, I submit for your consideration an Act to validate charters or acts of incorporation adopted by cities since the enactment of Chapter 147, page 307, of the Acts of the Regular Session of the Thirty-third Legislature, said cities according to the 1910

United States census having a population of less than five thousand inhabitants, but which had at the time of the adoption of said charter or act of incorporation a population in excess of five thousand.

Respectfully submitted,
W. P. HOBBY,
Governor of Texas.

Governor's Office,
Austin, Texas, March 18, 1918.

To the Thirty-fifth Legislature in Fourth Called Session.

At the request of Messrs Yantis and Thompson, I submit for your consideration an Act to amend Chapter 88 of the Special Laws of the Regular Session of the Thirty-fifth Legislature known as Henderson County road law.

Respectfully submitted,
W. P. HOBBY,
Governor of Texas.

Governor's Office,
Austin, Texas, March 18, 1918.

To the Thirty-fifth Legislature in Fourth Called Session.

At the request of Hon. W. D. Cope, I submit for your consideration an Act providing for the redemption, by the owner, of lands or lots heretofore sold, or that may be hereafter sold, to the State, city or town for taxes; and repealing all laws in conflict with this Act.

Respectfully submitted,
W. P. HOBBY,
Governor of Texas.

Governor's Office,
Austin, Texas, March 18, 1918.

To the Thirty-fifth Legislature in Fourth Called Session.

At the request of Hon. F. O. Fuller, and Hon. R. H. Holland, I submit for your consideration, an Act to amend Chapter 32, Article 6196 of the General Laws passed at the First Called Session of the Thirty-fifth Legislature, 1917, page 49, regulating the management and control of the penitentiary system and regulating the fixing of salaries of the penitentiary guards.

Respectfully submitted,
W. P. HOBBY,
Governor of Texas.

Bills and Resolutions.

(By unanimous consent.)

By Senators Bailey, Bee and Parr:
S. B. No. 98, A bill to be entitled "An Act to amend Chapter 27 of the General Laws of the Thirty-second Legislature of the State of Texas, entitled 'An Act to provide additional compensation to all judges of the district courts, district attorneys of the State of Texas, and to the judge of the Criminal District Court of Harris and Galveston Counties, by allowing compensation for actual and necessary expenses when engaged in the discharge of their official duties in counties other than the county of their residence,' so as to increase the maximum sum which may be paid to any district judge or district attorney in any one year from the sum of two hundred (\$200) dollars, to four hundred (\$400) dollars, and declaring an emergency."

Read first time and referred to the Committee on Civil Jurisprudence.

By Senator Buchanan of Bell:
S. B. No. 99, A bill to be entitled "An Act making an emergency appropriation for the support and maintenance of the State Training School for Juveniles located at Gatesville, Texas, for the current fiscal year, ending August 31, 1918, and declaring an emergency."

Read first time and referred to the Committee on Finance.

By Senator Clark:
S. B. No. 100, A bill to be entitled "An Act to permit all applicants for registration as nurses, under the provisions of Articles 5748 to 5755, inclusive, Chapter 2, Title 90 of the Revised Civil Statutes of the State of Texas (1911), and who shall be otherwise properly qualified and who may pass a satisfactory examination, conducted by the Board of Nurse Examiners, to practice professional nursing in this State; provided, that the applicant for examination for such license as a nurse shall not be required by the board to have more than one year's training as a nurse in a hospital, sanitarium or school before the issuance of a license to such party; repealing all laws in conflict herewith, and declaring an emergency."

Read first time and referred to the Committee on Public Health.

By Senator Alderdice:
S. B. No. 101, A bill to be entitled "An Act amending Section 1 of Chapter 42 of the Acts of the Thirty-first Legislature approved March 16, 1909 entitled 'An Act creating the Venus Independent School District in Johnson County, Texas, defining its boundaries, providing for the election of a board of trustees to manage and control the public free schools within said district; investing said town or village incorporated for free school purposes only, under the general laws and declaring an emergency,' by adding certain territories thereto, defining the boundaries of said district so as to hereafter read as follows:"
Read first time and referred to the Committee on Educational Affairs.

Simple Resolution No. 39.

Whereas, Mrs. James B. Wells, of Brownsville, is in the city of Austin, Resolved, That she be tendered the use of the Senate Chamber this evening March 18, at 8 o'clock, to discuss the question of equal suffrage, in order that Senators and others interested may hear her.

JOHNSTON of Harris.
BAILEY.
GIBSON.

The resolution was read and adopted.

Simple Resolution No. 40.

Whereas, Mrs. Fisher Cunningham is in the city;
Resolved that she be tendered the Senate Chamber just before or just after the use of same by Mrs. Wells, to discuss the issue of woman suffrage.

FLOYD.
COLLINS.

The resolution was read and adopted.

Senate Bill No. 33.

The Chair laid before the Senate on second reading:

S. B. No. 33, A bill to be entitled "An Act to amend Articles 5396 and

5397, Revised Civil Statutes of 1911, relating to the discovery and sale of excess acreage in school surveys and their alternate private surveys, and to include the discovery and sale of excess acreage in patented alternate surveys and in surveys located by virtue of certificates issued for the construction of railroads and other works whether such did or did not obligate the owner to locate a like amount of land for the State or school fund; and all surveys and blocks of surveys located by virtue of certificates for land issued to individuals which required the location of a like amount for the State or school fund, and in surveys sold under the fifty cent Act of July 14, 1879, Chapter 52, and the amendment thereto of March 11, 1881, Chapter 33, and to add thereto Article 5397a; and to repeal Articles 5399 and 5400, Revised Civil Statutes, 1911, and declaring an emergency."

The bill was read second time and on motion of Senator Buchanan of Scurry the same was passed to engrossment.

Senate Bill No. 36.

The Chair laid before the Senate on second reading:

S. B. No. 36, A bill to be entitled "An Act to amend Articles 5376, Revised Civil Statutes of 1911 and to repeal Article 5379 of the same statute both relating to the delivery of patents, and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator Buchanan of Scurry, the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 36 put on its third reading and final passage by the following vote:

Yeas—22.

Alderdice.	Faust.
Bailey.	Floyd.
Bee.	Hall.
Buchanan of Bell.	Henderson.
Buchanan of Scurry.	Hopkins.
Clark.	Johnson of Hall.
Collins.	Johnston of Harris.
Dean.	Page.
Decherd.	Smith.

Strickland.	Westbrook.
Sulter.	Woodward.

Absent.

Gibson.	Parr.
Hudspeth.	Robbins.

Absent—Excused.

Caldwell.	McCollum.
Dayton.	McNealus.
Lattimore.	

The bill was laid before the Senate, read third time and, on motion of Senator Buchanan of Scurry, was passed by the following vote:

Yeas—21.

Alderdice.	Hall.
Bailey.	Henderson.
Bee.	Hopkins.
Buchanan of Bell.	Johnston of Harris.
Buchanan of Scurry.	Page.
Clark.	Smith.
Collins.	Strickland.
Dean.	Sulter.
Decherd.	Westbrook.
Faust.	Woodward.
Floyd.	

Absent.

Dayton.	Johnson of Hall.
Gibson.	Parr.
Hudspeth.	Robbins.

Absent—Excused.

Caldwell.	McCollum.
Lattimore.	McNealus.

House Concurrent Resolution No. 8.

The Chair laid before the Senate: H. C. R. No. 8, relating to the extension of the K. C. M. & O. Ry., from San Angelo to, Del Rio.

The resolution was read and, on motion of Senator Strickland, the same was adopted.

Senate Bill No. 28—Free Conference Committee Elected.

Senator Dean moved that the Senate do not concur in the House amendments to Senate Bill No. 28 and that a Free Conference Committee be elected.

The motion prevailed.

Senator Page moved that the following Senators be elected on the part of the Senate:

Senators Bee, Collins, Henderson, Lattimore and Dean.

The motion prevailed, carrying the election of the committee named.

Senate Bill No. 97.

The Chair laid before the Senate on second reading:

S. B. No. 97, A bill to be entitled "An Act granting permission to A. E. Masterson to bring suit against the State of Texas in the district court of Brazoria County, Texas, for rents claimed to be due the said A. E. Masterson for rents on lands situated in Brazoria County, Texas, which lands were cultivated during the year 1917 by the Board of Prison Commissioners, and declaring an emergency."

The committee report that the bill be not printed was adopted.

Senator Page offered the following amendment, which was read:

(1) Amend the bill, page 1, line 12, by striking out the word "Brazoria" and insert in lieu thereof, the word "Travis."

Senator Hall moved to table the amendment, which motion was lost by the following vote:

Yeas—8.

Bailey.	Hall.
Bee.	Johnston of Harris.
Collins.	Smith.
Faust.	Strickland.

Nays—11.

Alderdice.	Henderson.
Buchanan of Scurry.	Johnson of Hall.
Dean.	Page.
Decherd.	Suiter.
Floyd.	Woodward.
Gibson.	

Present—Not Voting.

Clark.

Absent.

Buchanan of Bell.	Parr.
Hopkins.	Robbins.
Hudspeth.	Westbrook.

Absent—Excused.

Caldwell.	McCollum.
Dayton.	McNealus.
Lattimore.	

Action then recurred upon the

amendment, and the same was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Hall, the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 97 put on its third reading and final passage by the following vote:

Yeas—21.

Alderdice.	Hall.
Bailey.	Henderson.
Bee.	Johnson of Hall.
Buchanan of Scurry.	Johnston of Harris.
Clark.	Page.
Collins.	Robbins.
Dean.	Smith.
Decherd.	Strickland.
Faust.	Suiter.
Floyd.	Woodward.
Gibson.	

Absent.

Buchanan of Bell.	Hudspeth.
Dayton.	Parr.
Hopkins.	Westbrook.

Absent—Excused.

Caldwell.	McCollum.
Lattimore.	McNealus.

The bill was laid before the Senate, read third time and, on motion of Senator Hall, was passed by the following vote:

Yeas—21.

Alderdice.	Hall.
Bailey.	Henderson.
Bee.	Johnson of Hall.
Buchanan of Scurry.	Johnston of Harris.
Clark.	Page.
Collins.	Robbins.
Dean.	Smith.
Decherd.	Strickland.
Faust.	Westbrook.
Floyd.	Woodward.
Gibson.	

Nays—1.

Suiter.

Absent.

Buchanan of Bell.	Hudspeth.
Dayton.	Parr.
Hopkins.	

Absent—Excused.

Caldwell.	McCollum.
Lattimore.	McNealus.

Senator Hall moved to reconsider the vote by which the bill was passed and table the motion to reconsider. The motion to table prevailed.

Senate Bill No. 48.

The Chair laid before the Senate on second reading:

S. B. No. 48, A bill to be entitled "An Act declaring syphilis, gonorrhoea and chancroid, and hereinafter designated as venereal diseases to be contagious, infectious, communicable and dangerous to the public health; providing for and requiring reports to be made by physicians and others in all cases of such diseases; requiring patients affected with venereal diseases to give information thereof; requiring city, county and local health officers to ascertain the existence of such diseases for the protection of others from infection from such disease; providing the condition under which the name of the patient is required to be reported; requiring druggists to keep a record of sales of drugs for venereal diseases; prohibiting any person knowingly exposing another to infection from venereal diseases; providing for the giving of certificate of freedom from such diseases; providing that the records and all information concerning the persons infected with such diseases shall be kept secret from the public; providing for penalty for violations of this Act; investing the State, county and local health officers with all authority now provided for the enforcement of quarantine regulations, to enforce the provisions of this Act, and declaring an emergency."

On motion of Senator Dean, the bill was laid on the table subject to call.

Recess.

At 12:05 o'clock p. m., the Senate, on motion of Senator Clark, recessed until 2:30 o'clock p. m. today.

After Recess.

(Afternoon Session.)

The Senate was called to order by President Pro Tem. Decherd.

By unanimous consent and on request of Senator Gibson, the Senate stood at ease for fifteen minutes.

Senate Bill No. 37.

The Chair laid before the Senate on second reading:

S. B. No. 37, A bill to be entitled "An Act to amend Article 3842, Revised Civil Statutes of 1911, relating to fees chargeable by the General Land Office of Texas."

The bill was read and, on motion of Senator Buchanan of Scurry, the same was passed to engrossment.

Senate Bill No. 35.

The Chair laid before the Senate on second reading:

S. B. No. 35, A bill to be entitled "An Act to amend Sections 3, 16, and 19 of Chapter 83 of an Act approved March 16, 1917, relating to the development of minerals in public lands by requiring applications to be filed in the General Land Office instead of with the county clerk and providing that permits shall be issued to the one who makes the highest cash offer for the area in addition to the one-eighth royalty, and providing for the employment of a mineral inspector and making an appropriation therefor, and declaring an emergency."

Senator Buchanan of Scurry offered the following amendment to the committee report:

(1) Amend the committee report by striking out committee amendment No. 1, and insert in lieu thereof, the following:

Section 3a. When one applies for an area alleged to belong to the State, or any institution of the State, or if a permit shall have heretofore been issued or should hereafter be issued on an area that belongs to the State or any institution of the State and it should thereafter appear that another claims the title to such area adversely to the State or any institution of the State, the Commissioner of the General Land Office shall report that fact to the Attorney General and if in his opinion such area does belong to the State or any institution of the State, it shall be his duty to file a suit against the claim-

ant of such title for the purpose of removing such adverse claim therefrom; provided, if the Attorney General shall in either case decline to file such suit the applicant or owner of the application or the permit may file a suit in his own right against such claimant without cost to the State within thirty days from notice of the Attorney General's refusal and a failure to do so shall operate as a termination of such rights. In the event a permit should have been issued the obligation upon the owner of same to develop the area shall be suspended from the time the Commissioner of the General Land Office shall have submitted the facts to the Attorney General until the entry of final judgment in the case, and if the State or the owner of the application or permit should prevail in such suit, such owner shall have the statutory time thereafter in which to develop the area.

The amendment was adopted.

The committee report as amended was then adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Buchanan of Scurry, the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 35 put on its third reading and final passage by the following vote:

Yeas—22.

Bailey.	Gibson.
Bee.	Hall.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	Johnson of Hall.
Caldwell.	Johnston of Harris.
Clark.	Page.
Collins.	Robbins.
Dean.	Smith.
Decherd.	Strickland.
Faust.	Suiter.
Floyd.	Westbrook.

Absent.

Alderdice.	Hudspeth.
Dayton.	Parr.
Henderson.	Woodward.

Absent—Excused.

Lattimore.	McNealus.
McCollum.	

The bill was laid before the Senate, read third time and, on mo-

tion of Senator Buchanan of Scurry, was passed by the following vote:

Yeas—21.

Alderdice.	Hall.
Bailey.	Henderson.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	Johnson of Hall.
Caldwell.	Johnston of Harris.
Clark.	Page.
Collins.	Smith.
Decherd.	Strickland.
Faust.	Suiter.
Floyd.	Westbrook.
Gibson.	

Absent.

Bee.	Parr.
Dayton.	Robbins.
Dean.	Woodward.
Hudspeth.	

Absent—Excused.

Lattimore.	McNealus.
McCollum.	

Message from the House.

Hall of House of Representatives.
Austin, Texas, March 18, 1918.

Hon. E. A. Decherd, President Pro Tem. of the Senate.

Sir: I am directed by the House to inform the Senate that the House Requests the Senate to return Senate Bill No. 22 for correction.

Grants the request of the Senate for a Free Conference Committee on Senate Bill No. 28. The following have been appointed on part of the House: Messrs. Carlock, DeBogory, Blackburn, Henderson and Templeton.

Respectfully,

BOB BARKER,

Chief Clerk House of Representatives.

Senate Bill No. 22 Returned to the House.

Senator Alderdice moved that the Senate grant the request of the House for the return of Senate Bill No. 22 to the House for correction. The motion prevailed.

Senate Bill No. 56.

The Chair laid before the Senate on second reading:

S. B. No. 56, A bill to be entitled "An Act to amend Article 5894 of Title 92 of the Revised Civil Statutes of 1911 prescribing uniform weights and containers for both flour and meal; also prescribing standard weights per bushel for cured sweet potatoes, onions, Spanish peanuts, Virginia runner or bunch peanuts, and jumbo peanuts, repealing all laws in conflict herewith, and declaring an emergency."

Senator Clark moved that the bill be laid on the table subject to call. The motion prevailed.

(Senator Strickland in the chair.)

Senate Bill No. 89.

The Chair laid before the Senate on second reading:

S. B. No. 89, A bill to be entitled "An Act to amend Article 698 of the Revised Civil Statutes of Texas, 1911, so as to authorize the investment of the sinking funds of counties, cities, towns, school districts or school communities in United States bonds, war saving certificates, certificates of indebtedness in United States Government and in State, city or town bonds, and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Dean, the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 89 put on its third read and final passage by the following vote:

Yeas—21.

Alderdice.	Hall.
Bee.	Henderson.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	Page.
Caldwell.	Robbins.
Clark.	Smith.
Dean.	Strickland.
Decherd.	Suiter.
Faust.	Westbrook.
Floyd.	Woodward.
Gibson.	

Absent.

Bailey.	Johnson of Hall.
Collins.	Johnston of Harris.
Hudspeth.	Parr.

Absent—Excused.

Dayton.	McCollum.
Lattimore.	McNealus.

The bill was laid before the Senate, read third time and, on motion of Senator Dean, was passed by the following vote:

Yeas—21.

Alderdice.	Henderson.
Bee.	Hopkins.
Buchanan of Bell.	Johnson of Hall.
Buchanan of Scurry.	Page.
Caldwell.	Robbins.
Clark.	Smith.
Dean.	Strickland.
Faust.	Suiter.
Floyd.	Westbrook.
Gibson.	Woodward.
Hall.	

Absent.

Bailey.	Hudspeth.
Collins.	Johnston of Harris.
Decherd.	Parr.

Absent—Excused.

Dayton.	McCollum.
Lattimore.	McNealus.

Senate Bill No. 57.

The Chair laid before the Senate on second reading:

S. B. No. 57, A bill to be entitled "An Act to amend Sections 2 and 8 of Chapter 181, Acts of the Regular Session of the Thirty-fifth Legislature, as amended by Chapter 6, Acts of the Third Called Session of the Thirty-fifth Legislature, by adding thereto Section 2b, providing for standard "grades and packs" of other fruits and vegetables, prohibiting common carriers from receiving fruits or vegetables for shipment or transporting the same in violation of the provisions of this Act; prescribing penalties for violations of this law and declaring an emergency."

On motion of Senator Dean, the bill was laid on the table subject to call.

House Bill No. 98.

Senator Bee moved that the constitutional rule requiring bills to be read on three several days be sus-

pending and House Bill No. 98 put on its second reading.

The motion prevailed by the following vote:

Yeas—21.

Alderdice.	Gibson.
Bailey.	Hall.
Bee.	Henderson.
Buchanan of Bell.	Johnston of Harris.
Buchanan of Scurry.	Page.
Caldwell.	Robbins.
Clark.	Smith.
Collins.	Strickland.
Dean.	Suiter.
Decherd.	Woodward.
Faust.	

Absent.

Dayton.	Johnson of Hall.
Floyd.	Parr.
Hudspeth.	Westbrook.
Hopkins.	

Absent—Excused.

Lattimore.	McNealus.
McCollum.	

The Chair laid before the Senate on second reading:

H. B. No. 98, A bill to be entitled "An Act to amend Article 1197, Title 17 of the Code of Criminal Procedure of the State of Texas, relating to delinquent children so as to include and further prescribe the procedure in cases of boys and girls; fixing penalties and declaring an emergency."

The Senate rule requiring committee reports to lie over one day was suspended.

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to its third reading.

On motion of Senator Bee, the constitutional rule requiring bills to be read on three several days was suspended and House Bill No. 98 put on its third reading and final passage by the following vote:

Yeas—21.

Alderdice.	Decherd.
Bailey.	Faust.
Bee.	Floyd.
Buchanan of Bell.	Gibson.
Buchanan of Scurry.	Hall.
Caldwell.	Henderson.
Clark.	Johnson of Hall.
Collins.	Johnston of Harris.
Dean.	Smith.

Strickland.
Suiter.

Woodward.

Absent.

Hopkins.
Hudspeth.
Page.

Parr.
Robbins.
Westbrook.

Absent—Excused.

Dayton.
Lattimore.

McCollum.
McNealus.

The bill was laid before the Senate, read third time and, on motion of Senator Bee, was passed by the following vote:

Yeas—23.

Alderdice.	Gibson.
Bailey.	Hall.
Bee.	Henderson.
Buchanan of Bell.	Johnson of Hall.
Buchanan of Scurry.	Johnston of Harris.
Caldwell.	Page.
Clark.	Robbins.
Collins.	Smith.
Dean.	Strickland.
Decherd.	Suiter.
Faust.	Woodward.
Floyd.	

Absent.

Hopkins.	Westbrook.
Parr.	

Absent—Excused.

Dayton.	McCollum.
Hudspeth.	McNealus.
Lattimore.	

Message from the House.

Hall of the House of Representatives,
Austin, Texas, March 18, 1918.

Hon. E. A. Decherd, President Pro Tem. of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

H. B. No. 70, A bill to be entitled "An Act to amend Chapter 88, Acts of the Regular Session of the Thirty-fifth Legislature, providing a more adequate system of laws relating to irrigation and by adding thereto after Section 61, Section 61a, and by adding thereto after Section 64, Sections 64a and 64b, providing for the entry of decisions, orders and fixing of rates by the board for furnishing water and permitting persons, firms, and corporations interested therein to file proceedings in the District

Court of Travis County, Texas, for a review and revision of rates, fixing the burden of proof in such proceedings, and declaring an emergency."

H. B. No. 94, A bill to be entitled "An Act for the protection of the health, safety and comfort of the employes in factories, mills, workshops, mercantile establishments, laundries, or other establishments where women are employed, providing for proper temperature and ventilation for the protection of the health of the employes, requiring the removal of gas, effluvia or odors from places where employes are required to work and means to allay dust injurious to the health of persons employed, prohibiting decomposed or putrescent matter or refuse of any kind to be allowed to remain in or around such place of employment, providing for cleaning, sweeping and dusting outside of working hours, requiring doors used by employes as entrances or exits to open outward, prescribing the number of water closets, earth closets or privies to be supplied and requiring separate closets for males and females, requiring such closets to be kept clean and effectively disinfected and ventilated, authorizing the Commissioner of Labor Statistics or any of his deputies or inspectors to enter any factory, mill, workshop, mercantile establishment, laundry or other establishment for making inspection and enforcing the provisions of the act, authorizing the said Commissioner, his deputies or inspectors to issue an order for the correction of unsanitary or immoral conditions or neglect to remove fumes and gases injurious to employes where females are employed; in case of failure or refusal on the part of owner, superintendent, manager or other person in control or management of such establishment, giving the Commissioner of Labor Statistics, his deputies or inspectors power to close such establishment or any part of it until such time as said orders are complied with, providing how such powers may be exercised and providing a method for testing the validity, etc., of such orders, fixing penalties for violation of provisions of the act, and declaring an emergency."

H. B. No. 120, A bill to be entitled "An Act granting the State Superintendent of Public Instruction author-

ity to extend teachers' certificates, naming the conditions under which they may be extended, and declaring an emergency."

H. B. No. 141, A bill to be entitled "An Act to further regulate the conducting of fish hatcheries and the propagation of fish in this State by amending Article 4000 of the Revised Civil Statutes of this State, 1911, as amended by Chapter 146 of the Acts of the Thirty-third Legislature, providing for the distribution by the State fish hatcheries of fish to private persons, providing that the Game, Fish and Oyster Commissioner of the State of Texas, as well as the United States Commissions of Fisheries, or their duly authorized agents, may take or catch brood fish from the public fresh waters of this State for the purpose of propagation, etc.; providing a penalty for violation of this statute, and declaring an emergency."

S. B. No. 22, A bill to be entitled "An Act to provide for the creation of conservation and reclamation districts within this State under and by virtue of the provisions of Section 59 of Article 15 of the State Constitution, to be known as Levee Improvement Districts, and declaring an emergency," with amendments.

Respectfully,

BOB BARKER,

Chief Clerk House of Representatives

Bills Read and Referred.

The Chair, President Pro Tem. Decherd, had referred, after their captions had been read, the following House bills:

H. B. No. 120, referred to the Committee on Educational Affairs.

H. B. No. 141, referred to the Committee on Civil Jurisprudence.

H. B. No. 94, referred to the Committee on Labor.

H. B. No. 70, referred to the Committee on Mining, Irrigation and Drainage.

Messages from the Governor.

A messenger here appeared at the bar of the Senate with several executive messages, which were laid before the Senate and read as follows:

Governor's Office,
Austin, Texas, March 18, 1918.
To the Thirty-fifth Legislature in
Fourth Called Session.

At the request of Senator I. E. Clark, I submit for your consideration the subject of amending Article 5748 to 5755, inclusive, Chapter 2, Title 90 of the Revised Civil Statutes of the State of Texas, 1911, relating to the registration of nurses.

Respectfully submitted,
W. P. HOBBY,
Governor of Texas.

Governor's Office,
Austin, Texas, March 18, 1918.
To the Thirty-fifth Legislature in
Fourth Called Session.

At the request of Hon. John H. Veatch, I submit for your consideration the subject of amending Section 1, of Chapter 42, of the Acts of the Thirty-first Legislature, approved March 16, 1909, relating to the Venus Independent School District, in Johnson County.

Respectfully submitted,
W. P. HOBBY,
Governor of Texas.

Governor's Office,
Austin, Texas, March 18, 1918.
To the Thirty-fifth Legislature in
Fourth Called Session.

At the request of Hon. C. M. Beard, I submit for your consideration the subject of amending Section 1, of House Bill No. 95, Chapter 38, pages 392, 393, 394 and 395 of the published laws enacted by the Thirty-fifth Legislature at its First Called Session, creating the Milano Independent School District, revising the metes and bounds of said district and excluding certain territory.

Respectfully submitted,
W. P. HOBBY,
Governor of Texas.

Governor's Office,
Austin, Texas, March 18, 1918.
To the Thirty-fifth Legislature in
Fourth Called Session.

At the request of Hon. Wm. L. Schlesinger, I submit for your consideration the subject of amending Article 389, of the Code of Criminal Procedure of the State of Texas, relating to the selection of grand

jurors in counties where there are more than one district court.

Respectfully submitted,
W. P. HOBBY,
Governor of Texas.

Governor's Office,
Austin, Texas, March 18, 1918.
To the Thirty-fifth Legislature in
Fourth Called Session.

At the request of Messrs. Murphy, Davis, Swope and Holland, I submit for your consideration the subject of amending Article 3903, Chapter 4, of the Revised Civil Statutes of the State of Texas, as amended by Chapter 142, of the Regular Session of the Thirty-third Legislature, and Chapter 55 of the Regular Session of the Thirty-fifth Legislature, relating to the compensation of deputy county officers.

Respectfully submitted,
W. P. HOBBY,
Governor of Texas.

Governor's Office,
Austin, Texas, March 18, 1918.
To the Thirty-fifth Legislature in
Fourth Called Session.

I submit for your consideration the subject of amending the law relating to the system of filing on minerals in public lands and employment of an inspector to protect the interests of the State.

Respectfully submitted,
W. P. HOBBY,
Governor of Texas.

Governor's Office,
Austin, Texas, March 18, 1918.
To the Thirty-fifth Legislature in
Fourth Called Session.

I submit for your consideration the subject of amending the law enacted by the Thirty-fifth Legislature to prevent the introduction into the State of Texas of the cotton pest, defined as the *Pectinophera gossypiella* Saund., referred to as the pink boll worm, rendering more effective enforcement of said law by additional appropriation or otherwise.

In this connection I transmit herewith a copy of a letter received from Hon. Fred W. Davis, Commissioner of Agriculture.

Respectfully submitted,
W. P. HOBBY,
Governor of Texas.

(Copy.)

Austin, Texas, March 18, 1918.

Hon. W. P. Hobby, Governor of
Texas, Austin, Texas.

Dear Sir: Due to the large pink boll worm infestation in the south-eastern section of our State it has developed that an additional appropriation is necessary to carry out the provisions of the pink boll worm Act. Funds will be necessary to police the non-cotton zones. Several men are required to urge the growers in these zones to refrain from planting cotton.

Due to the dry winter considerable cotton seed in fields was left uninjured which is now beginning to sprout. This volunteer cotton must be destroyed, which requires additional men and funds.

The close proximity of the pink boll worm to our Texas border near Eagle Pass and Del Rio will require a number of scouts in that section.

All of the cotton seed produced in the infested area in 1916-1917 is being traced and disposed of. Most of it has already been located, but there will no doubt be small quantities of this seed planted outside of the zone which may bring about new infestations. This must be watched and requires experienced scouts.

It takes several men to look after the transportation and fumigating of cotton products that may be dangerous in carrying the pink boll worm further into the cotton belt.

Considerable labor is required to destroy infested fields, which must be done when infestations are found.

A summary of work required to make the pink boll worm fight a success, and purpose for the additional appropriations are as follows:

An adequate force of men to police the non-cotton zones, to destroy and to inspect the destruction of volunteer cotton in the non-cotton zone.

Additional men to thoroughly scout the rest of the cotton belt in the State for new infestations and to inspect all reports of probable infestation.

Good scouts to watch the Mexican border.

Men to clean up and fumigate warehouses, cotton gins, oil mills, seed houses and cars that may have infested seed in them.

For the above purposes an addi-

tional appropriation of \$20,000.00 is needed.

Very truly yours,
FRED W. DAVIS,
Commissioner.

(Senator Bailey in the Chair.)

Senate Bill No. 84.

The Chair laid before the Senate on second reading:

S. B. No. 84, A bill to be entitled "An Act to establish and fix the salary of the Superintendent of Public Buildings and Grounds of the State of Texas, providing for an appropriation to pay said salary, and creating an emergency."

Senator Clark moved the previous question on the engrossment of the bill, which being duly seconded was ordered.

The bill was read second time and passed to engrossment.

On motion of Senator Caldwell, the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 84 put on its third reading and final passage by the following vote:

Yeas—21.

Alderdice.	Hall.
Bailey.	Henderson.
Bee.	Hopkins.
Buchanan of Bell.	Johnson of Hall.
Buchanan of Scurry.	Johnston of Harris.
Caldwell.	Page.
Clark.	Robbins.
Collins.	Smith.
Dean.	Strickland.
Faust.	Westbrook.
Gibson.	

-Nays—2.

Floyd.	Sulter.
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Absent.

Dayton.	Parr.
Decherd.	Woodward.
Hudspeth.	

Absent—Excused.

Lattimore.	McNealus.
McCollum.	

The bill was laid before the Senate, read third time and, on motion of Senator Caldwell, was passed by the following vote:

Yeas—21.

Alderdice.	Hall.
Bailey.	Henderson.
Bee.	Hopkins.
Buchanan of Bell.	Johnston of Harris.
Buchanan of Scurry.	Lattimore.
Caldwell.	Page.
Clark.	Robbins.
Collins.	Smith.
Dean.	Strickland.
Faust.	Westbrook.
Gibson.	

Nays—2.

Floyd.	Suiter.
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Absent.

Decherd.	Parr.
Hudspeth.	Woodward.
Johnson of Hall.	

Absent—Excused.

Dayton.	McNealus.
McCollum.	

Adjournment.

At 5 o'clock p. m., the Senate, on motion of Senator Clark adjourned until 10 o'clock tomorrow morning.

APPENDIX.

Petitions and Memorials.

The Chair offered two petitions from citizens of his district, one of which favored the amendment of the Terrell Election Law, the other opposing the same.

Engrossing Committee Reports.

Committee Room,
Austin, Texas, March 18, 1918.
Hon. E. A. Decherd, President Pro Tem. of the Senate.
Sir: Your Committee on Engrossed Bills has had Senate Bill No. 30 carefully compared, and finds the same correctly engrossed.

ALDERDICE, Chairman.

Committee Room,
Austin, Texas, March 18, 1918.
Hon. E. A. Decherd, President Pro Tem. of the Senate.

Sir: Your Committee on Engrossed Bills has had Senate Bill No. 49 care-

fully compared, and finds the same correctly engrossed.

ALDERDICE, Chairman.

Committee Room,
Austin, Texas, March 18, 1918.
Hon. E. A. Decherd, President Pro Tem. of the Senate.

Sir: Your Committee on Engrossed Bills has had Senate Bill No. 77 carefully compared, and finds the same correctly engrossed.

ALDERDICE, Chairman.

Committee Room,
Austin, Texas, March 18, 1918.
Hon. E. A. Decherd, President Pro Tem. of the Senate.

Sir: Your Committee on Engrossed Bills has had Senate Bill No. 86 carefully compared, and finds the same correctly engrossed.

ALDERDICE, Chairman.

Committee Room,
Austin, Texas, March 18, 1918.
Hon. E. A. Decherd, President Pro Tem. of the Senate.

Sir: Your Committee on Engrossed Bills has had Senate Bill No. 45 carefully compared, and finds the same correctly engrossed.

ALDERDICE, Chairman.

Committee Room,
Austin, Texas, March 18, 1918.
Hon. E. A. Decherd, President Pro Tem. of the Senate.

Sir: Your Committee on Engrossed Bills has had Senate Bill No. 82 carefully compared, and finds the same correctly engrossed.

ALDERDICE, Chairman.

Committee Room,
Austin, Texas, March 18, 1918.
Hon. E. A. Decherd, President Pro Tem. of the Senate.

Sir: Your Committee on Engrossed Bills has had Senate Bill No. 37 carefully compared, and finds the same correctly engrossed.

ALDERDICE, Chairman.

Committee Reports.

(Floor Report.)

Senate Chamber,
Austin, Texas, March 18, 1918.
Hon. E. A. Decherd, President Pro Tem. of the Senate.

Sir: Your Committee on Civil Jurisprudence, to whom was referred

H. B. No. 141, A bill to be entitled "An Act to further regulate the conducting of fish hatcheries and the propagation of fish in this State by amending Article 4000 of the Revised Civil Statutes of this State, 1911, as amended by Chapter 146 of the Acts of the Thirty-third Legislature, providing for the distribution by the State fish hatcheries of fish to private persons, providing that the Game, Fish and Oyster Commissioner of the State of Texas, as well as the United States Commissions of Fisheries, or their duly authorized agents, may take or catch brood fish from the public fresh waters of this State, for the purpose of propagation, etc.; providing a penalty for a violation of this statute and declaring an emergency."

Have had the same under consideration and beg to report the same back to the Senate with the recommendation that it do pass and be not printed.

Bailey, Chairman; Faust, Bee, Latimore, Dean, Suiter, Hopkins, Alderdice, Hall, Collins.

(Floor Report.)

Senate Chamber,
Austin, Texas, March 18, 1918.

Hon. E. A. Decherd, President Pro Tem. of the Senate.

Sir: Your Committee on Public Health, to whom was referred

S. B. No. 100, A bill to be entitled "An Act to permit all applicants for registration as nurses, under the provisions of Articles 5748 to 5755, inclusive, Chapter 2, Title 90, of the Revised Civil Statutes of the State of Texas, 1911, and who shall be otherwise properly qualified and who may pass a satisfactory examination, conducted by the Board of Nurse Examiners, to practice professional nursing in this State; provided, that the applicant for examination for such license as a nurse shall not be required by the board to have more than one year's training as a nurse in a hospital, sanitarium or school before the issuance of a license to such party; repealing all laws in conflict herewith, and declaring an emergency."

Have had the same under consideration and beg to report it back to the Senate with the recommendation that it do pass but be not printed.

Clark, Vice-Chairman; Strickland, Smith, Bee, Henderson, Decherd.

Committee Room,
Austin, Texas, March 18, 1918.

Hon. E. A. Decherd, President Pro Tem. of the Senate.

Sir: Your Committee on Criminal Jurisprudence, to whom was referred

H. B. No. 98, A bill to be entitled "An Act to amend Article 1197, Title 17, of the Code of Criminal Procedure of the State of Texas, relating to delinquent children so as to include and further prescribe the procedure in cases of boys and girls; fixing penalties; and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

PAGE, Chairman.

(Floor Report.)

Senate Chamber,
Austin, Texas, March 18, 1918.

Hon. E. A. Decherd, President Pro Tem. of the Senate.

Sir: Your Committee on Roads, Bridges and Ferries, to whom was referred

H. B. No. 108, A bill to be entitled "An Act to amend Section 9 of Chapter 17, Special Laws passed at the First Called Session of the Thirty-third Legislature entitled 'San Patricio County Road System Creating', authorizing said county or any political subdivision or defined district thereof to issue bonds not exceeding forty years from the date of issuance with such option of redemption as may be fixed by commissioners court, etc., and declaring an emergency."

Have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass and be not printed.

Caldwell, Chairman; Strickland, Gibson, Clark, Smith, Buchanan, of Scurry.

Committee Room,
Austin, Texas, March 18, 1918.

Hon. E. A. Decherd, President Pro Tem. of the Senate.

Sir: Your Committee on Public Debt, Claims and Accounts, to whom was referred

S. B. No. 81, A bill to be entitled "An Act to authorize the Board of Prison Commissioners to pay into the Treasury of the State of Texas such an amount of money belonging to the Penitentiary System as was appropriated by the Regular Session of the Thirty-fifth Legislature and at its First, Second, Third and Fourth Called Sessions, to pay obligations created by said Board of Prison Commissioners and authorizing the Treasurer of the State of Texas to pay out said money in satisfaction of said obligations, including four certain notes executed by said Board of Prison Commissioners in favor of E. L. Wilson Hardware Company, Beaumont, Texas,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do not pass, but that the Committee Substitute do pass in lieu thereof, and be not printed.

SUITER, Chairman.
(Floor Report.)

Senate Chamber,
Austin, Texas, March 18, 1918.

Hon. E. A. Decherd, President Pro Tem. of the Senate.

Sir: Your Committee on Mining, Irrigation and Drainage, to whom was referred

H. B. No. 70, A bill to be entitled "An Act to amend Chapter 88, Acts of the Regular Session of the Thirty-fifth Legislature, providing a more adequate system of laws relating to irrigation by adding thereto after Section 61, Section 61a, and by adding thereto after Section 64, Sections 64a and 64b, providing for the entry of decisions, orders, and fixing of rates by the board for furnishing water and permitting persons, firms, and corporations interested therein to file proceedings in the District Court of Travis County, Texas, for a review and revision of rates, fixing the burden of proof in such proceeding and declaring an emergency,"

Have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass and be not printed but be printed in the Journal.

Hall, Chairman; Robbins, Clark, Faust, Caldwell, Collins, Bailey.

H. B. No. 70.

By Thomason of
El Paso.

A BILL
To be entitled

An Act to amend Chapter 88, Acts of the Regular Session of the Thirty-fifth Legislature, providing a more adequate system of laws relating to irrigation by adding thereto, after Section 61, Section 61a, and by adding thereto after Section 64, Sections 64a and 64b providing for the entry of decisions, orders and fixing of rates by the board for furnishing water and permitting persons, firms, and corporations interested therein to file proceedings in the District Court of Travis County, Texas, for a review and revision of rates, fixing the burden of proof in such proceedings and declaring an emergency.

Be it enacted by the Legislature of the State of Texas.

Section 1. That Chapter 88, of the Acts of the Regular Session of the Thirty-fifth Legislature be, and the same is hereby amended by adding after Section 61, Section 61a and by adding thereto, after Section 64, Section 64a and Section 64b as follows:

Sec. 61a. The said board shall have power and authority and it shall be its duty to fix reasonable rates for the furnishing of water for the purposes or any purpose mentioned in this chapter.

Sec. 64a. If any person, firm, association of persons, or corporations engaged in furnishing water, or other persons at interest be dissatisfied with the decision of any rate, charge, order or act of regulation adopted by the board, such dissatisfied company or party may file a petition setting forth the particular cause or causes of objection to such decision, act, rule, rate, charge or order, or to either or all of them, in a district court of Travis County, Texas, against said board as defendant. Said action shall have precedence over all other causes on the docket of a different nature, and shall be tried and determined as other civil causes in said court. Any party to said action may appeal to the appellate court having jurisdiction of said

cause; and said appeal shall be at once returnable to said appellate court at any term thereof; said action so appealed shall have precedence in said appellate court of all causes of a different character therein pending; provided that if the court be in session at the time such right of action accrues, the suit may be filed during such term and stand ready for trial after ten days notice.

Sec. 64b. In all trials under the foregoing article the burden of proof shall rest upon the plaintiff, who must show by clear and satisfactory evidence that the rates, regulations, acts, orders or charges complained of are unreasonable and unjust to it or them.

Sec. 2. The near approach of the end of this session of the Legislature and the crowded condition of the calendar and the fact that there is now no law authorizing the fixing of rates for furnishing water and permitting furnishers of water to apply for a review and revision of orders, rates and decrees, constitutes an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended and that this bill shall take effect and be enforced from and after its passage, and it is so enacted.

Committee Room,

Austin, Texas, March 18, 1918.

Hon. E. A. Decherd, President Pro Tem. of the Senate.

Sir: Your Committee on Commerce and Manufactures, to whom was referred Senate Bill No. 94,

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass and be printed in the Journal.

LATTIMORE, Chairman.

By Lattimore, Hudspeth, Johnston of Harris, Page and Bee.

A BILL

To be entitled

An Act to amend Chapter 1, Section 119, Revised Civil Statutes of Texas, 1911, by adding thereto Articles 6901a, 6901b, 6901c, 6901d and 6901e; fixing the compensation of county commissioners in counties having a population of

30,000 and over; providing a method of determining the population; providing that if any part of this Act be declared void the same shall not affect the remaining portions; validating the acts of any commissioners court in heretofore paying the amount of salary provided by any road law, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Chapter 1, Title 119, Revised Civil Statutes of Texas, 1911, be amended by adding thereto Articles 6901a, 6901b, 6901c, 6901d, and 6901e to read as follows:

Article 6901a. Provided that in all counties containing a population of 100,000 and over the county commissioners of the several counties shall receive a salary of \$2,400.00 per annum payable in equal monthly installments and this salary shall be in lieu of all other fees and per diem of all kinds now allowed by law.

Article 6901b. Provided that in all counties containing a population of 50,000 and not more than 100,000 population the county commissioners of the several counties shall receive a salary of \$1,800.00 per annum, payable in equal monthly installments and this salary shall be in lieu of all other fees and per diem now allowed by law.

Article 6901c. Provided that in all counties containing a population of 40,000 and not more than 50,000 population the county commissioners of the several counties shall receive a salary of \$1,500.00 per annum, payable in equal monthly installments and this salary shall be in lieu of all other fees and per diem of all kinds now allowed by law.

Article 6901d. Provided that in all counties containing a population of 30,000 and not more than 40,000 population the county commissioners of the several counties shall receive a salary of \$1,200.00 per annum, payable in equal monthly installments, and this salary shall be in lieu of all other fees and per diem of all kinds now allowed by law.

Section 2. Article 6901e. The last United States census shall govern as to population in determining the compensation herein provided.

Section 3. It is hereby provided that where any commissioners court operating under any road law here-

tofore passed by the Legislature has paid to any member of the county commissioners court as salary or compensation the amount or amounts prescribed in such road law the act of such commissioner's court in so paying any such salary or compensation is hereby validated and in all things approved.

Section 4. If any part of this Act be declared unconstitutional by the courts of this State then it is provided that any other section of this Act shall not be in any wise affected thereby, and it is declared that the Legislature would have passed this Act in so far as the other Sections are concerned irrespective of any Section that may be declared unconstitutional.

Section 5. The fact that the various counties of the State are attempting to operate under special road laws enacted from time to time by the Legislature providing for different and varied compensation and salaries for county commissioners and the fact that there is some question as to the validity of such provisions of said road law fixing salaries, thereby creating uncertainty and confusion in the enforcement of the road laws of the State, creates an emergency and an imperative public necessity which requires that the constitutional rule which provides that bills shall be read on three several days be suspended and said rule is hereby suspended, and that this Act take effect and be enforced from and after its passage; and it is so enacted.

Committee Room.

Austin, Texas, March 18, 1918.

Hon. E. A. Decherd, President Pro Tem. of the Senate.

Sir: Your Committee on Civil Jurisprudence, to whom was referred Senate Bill No. 98,

Have had the same under consideration and I am instructed to report the same back to the Senate, with the recommendation that it do pass, and be not printed, but be printed in the Journal.

BAILEY, Chairman.

By Bailey, Bee, S. B. No. 98.,
and Parr.

A BILL

To be entitled

An Act to amend Chapter 27 of the General Laws of the Thirty-second

Legislature of the State of Texas, entitled "An Act to provide additional compensation to all judges of the district courts, district attorneys, of the State of Texas, and to the Judge of the Criminal District Court of Harris and Galveston Counties, by allowing compensation for actual and necessary expenses when engaged in the discharge of their official duties in counties other than the county of their residence," so as to increase the maximum sum which may be paid to any such district judge, or district attorney in any one year from the sum of two hundred (\$200.00) dollars, to four hundred (\$400.00) dollars, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Chapter 27 of the General Laws of the Thirty-second Legislature of the State of Texas, approved March 7, 1911, being "An Act to provide additional compensation to all judges of the district courts, district attorneys of the State of Texas, and to the judge of the Criminal District Court of Harris and Galveston Counties by allowing compensation for actual and necessary expenses when engaged in the discharge of their official duties in counties other than their residence, and declaring an emergency," be amended so as to hereafter read as follows:

Chapter 27. All district judges within this State, all district attorneys of the State of Texas, and the judge of the Criminal District Court of Harris and Galveston Counties, when engaged in the discharge of their official duties in any county in this State other than the county of their residence, shall, in addition to the compensation now provided by law for their services, be allowed their actual and necessary expenses while engaged in the discharge of such duties, not to exceed the sum of two (\$2.00) dollars per day for hotel bills, and not to exceed three cents per mile when traveling by railroad, and not to exceed fifteen cents per mile when traveling by private conveyance, in going to and returning from the place where such duties are discharged, traveling by the nearest practicable route, such sum to be paid by the State upon the sworn

account of the district judge and district attorney, respectively, entitled thereto, showing the actual and necessary traveling expenses, and other actual and necessary expenses incurred in the discharge of their official duties in compliance with the provisions of this Act; provided, there shall never be paid to any such judge or district attorney more than the sum of four hundred (\$400.00) dollars in any one year under the provisions of this Act; provided, further, that the account for such services above provided for shall be recorded in the minutes book of the district court of the county in which such judge or district attorney shall reside.

Section 2. The fact that the amount now allowed by law to the various district judges and district attorneys in this State and the Judge of the Criminal District Court of Harris and Galveston Counties for their actual and necessary expenses incidental to the discharge of their duties over their several districts is inadequate, the crowded condition of the calendars of both houses of the Legislature and the near approach of the end of the Special Session of the Legislature creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended and that this Act take effect and be in force from and after its passage and it is so enacted.

Enrolling Committee Report.

Committee Room.
Austin, Texas, March 18, 1918.
Hon. E. A. Decherd, President Pro Tem, of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 95, copy of which is hereto attached and find it correctly enrolled and have this day at 3 o'clock p. m. presented same to the Governor for his approval.

SMITH Chairman.

By McNealus. S. B. No. 95.

An Act declaring that casualty insurance companies incorporated under Chapter 117, General Laws passed by the Regular Session of the Thirty-second Legislature,

shall hereafter have authority to write marine insurance, in which may be included the hazards and perils incident to war; and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That casualty insurance companies incorporated under Chapter 117, General Laws passed by the Regular Session of the Thirty-second Legislature, shall hereafter have authority to write marine insurance in which may be included the hazards and perils incident to war.

Section 2. The fact that this is a called session of the Legislature, and the importance of this legislation, creates an emergency and an imperative public necessity which requires that the constitutional rule providing that bills shall be read on three several days be suspended, and said rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

EIGHTEENTH DAY.

Senate Chamber,

Austin, Texas,

Tuesday, March 19, 1918.

The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called to order by President Pro Tem. Decherd.

The roll was called, a quorum being present, the following Senators answering to their names:

Alderdice.	Henderson.
Bailey.	Hopkins.
Bee.	Johnson of Hall.
Buchanan of Bell.	Johnston of Harris.
Buchanan of Scurry.	Lattimore.
Caldwell.	McNealus.
Clark.	Page.
Collins.	Robbins.
Dean.	Smith.
Decherd.	Strickland.
Faust.	Sulter.
Floyd.	Westbrook.
Gibson.	Woodward.
Hall.	

Absent.

Hudspeth. Parr.

Absent—Excused.

Dayton. McCollum.